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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To amend the Community Services Block Grant Act to update the Federal poverty line, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MULLIN introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Community Services Block Grant Act to update the Federal poverty line, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Poverty Line Act of
5 2023”.

6 **SEC. 2. STATEMENT OF PURPOSE.**

7 The purpose of this Act is to update the calculation
8 of the Federal poverty line, updated periodically in the
9 Federal Register under the authority of section 673 of the

1 Community Services Block Grant Act (42 U.S.C.
2 9902(2)), to expand eligibility for and utilization of Fed-
3 eral assistance and benefits such that it incorporates more
4 accurate costs of basic needs, keeps pace with changing
5 household spending norms, accounts for regional vari-
6 ations in the cost of living, and reflects the minimum ex-
7 penditures required by a household to have the oppor-
8 tunity to achieve social and economic mobility.

9 **SEC. 3. AMENDMENT TO DEFINITION OF POVERTY LINE.**

10 Section 673(2) of the Community Services Block
11 Grant Act (42 U.S.C. 9902(2)) is amended to read as fol-
12 lows:

13 “(2) POVERTY LINE.—

14 “(A) IN GENERAL.—The term ‘poverty
15 line’ means the official poverty line defined by
16 the Office of Management and Budget accord-
17 ing to the Secretary’s published poverty line
18 under subparagraph (B).

19 “(B) REVISION AND PUBLICATION.—In co-
20 ordination with the Bureau of the Census, the
21 Secretary shall revise and publish the poverty
22 line in the manner described in subparagraph
23 (C) at least annually (or at any shorter interval
24 the Secretary determines to be feasible and de-
25 sirable).

1 “(C) REVISION.—

2 “(i) The poverty line as revised shall
3 be calculated at household sizes from 1 to
4 8 members and shall be the sum of—

5 “(I) a 5-year rolling average of
6 household expenditures for food,
7 clothing, telephone, and internet, cal-
8 culated at 83 percent of the averages
9 of the 47th through the 53rd percent-
10 iles of spending in the Consumer Ex-
11 penditure Survey of the Bureau of
12 Labor Statistics, adjusted for inflation
13 as measured by the Consumer Price
14 Index for All Urban Consumers (CPI-
15 U), and multiplied by the other basic
16 goods factor set under clause (iv);

17 “(II) the cost of a rental housing
18 unit with the number of bedrooms ap-
19 propriate for the household size as de-
20 termined by the Secretary of Housing
21 and Urban Development under Fair
22 Market Rents estimate determined by
23 such Secretary as required under sec-
24 tion 8 of the United States Housing
25 Act of 1937 (42 U.S.C. 1437f), and

1 multiplied by the other basic goods
2 factor set under clause (iv);

3 “(III) for up to 6 household
4 members who are under 5 years, the
5 cost of average child care prices for
6 such children as determined by Na-
7 tional Database of Childcare Prices of
8 the Department of Labor;

9 “(IV) for up to 6 household
10 members enrolled in employer-spon-
11 sored health care plans, the median
12 non-premium out-of-pocket costs for
13 such members as determined by the
14 Secretary based on the Household
15 Component of the Medical Expendi-
16 ture Panel Survey to the extent prac-
17 ticable;

18 “(V) for up to 6 household mem-
19 bers who are not otherwise enrolled in
20 an employer-sponsored health care
21 plan or are eligible for Medicare, the
22 sum of the premium of an Essential
23 Health Benefits Benchmark Plan de-
24 fined by the Secretary as required
25 under title I of the Patient Protection

1 and Affordable Care Act and, to the
2 extent practicable, the median non-
3 premium out-of-pocket costs for those
4 enrolled in such a plan as determined
5 by the Secretary based on the House-
6 hold Component of the Medical Ex-
7 penditure Panel Survey; and

8 “(VI) for up to 6 household
9 members who are eligible for Medi-
10 care, the sum of the cost of the pre-
11 mium for the lowest cost Medicare
12 Advantage plan available that pro-
13 vides prescription drug coverage and,
14 to the extent practicable, the median
15 non-premium out-of-pocket costs for
16 those enrolled in such a plan as deter-
17 mined by the Secretary based on the
18 Household Component of the Medical
19 Expenditure Panel Survey.

20 “(ii) The Secretary shall calculate the
21 average incremental cost of each additional
22 household member for households with
23 more than 8 members.

1 “(iii) For each factor determined
2 under clauses (i) and (ii), the Secretary
3 shall—

4 “(I) use State-level data, any
5 available county-level data, and, for
6 clauses (i)(V) and (VI), geographic
7 rating area data, and

8 “(II) subject to clause (viii),
9 produce poverty line variants for each
10 such geographic area.

11 “(iv) The Secretary shall set the other
12 basic goods factor at the county level at a
13 number that reflects spending on goods
14 and services on which a household relies
15 for basic needs, including transportation
16 (where appropriate), and is otherwise not
17 reflected in such clause but at not less
18 than at 1.2.

19 “(v) The Secretary may issue rules
20 that require the use of data sources in lieu
21 of the data sources specified in clause (i)
22 for determining any factor applicable
23 under this subparagraph if the Secretary
24 determines that such specified sources do
25 not accurately reflect changes in otherwise

1 applicable average household expenditures
2 due to a significant economic event (such
3 as a national emergency or above-average
4 price inflation) or a substantial change in
5 the underlying methodology or availability
6 of such sources.

7 “(vi) The Secretary shall apply appro-
8 priate multipliers to each factor deter-
9 mined under in clause (i) to reflect econo-
10 mies or diseconomies of scale with addi-
11 tional household members.

12 “(vii) The Director may create sim-
13 plified poverty line variants or per-person
14 cost calculations for administrative pur-
15 poses in determining household program
16 eligibility as long as such variants or cal-
17 culations materially incorporate all applica-
18 ble costs specified under this subpara-
19 graph.

20 “(viii) The Director shall provide a
21 lookup tool on the website of the Depart-
22 ment of Health and Human Services for
23 use by States, counties, and the public to
24 determine the poverty line of a given

1 household based on the factors in this
2 paragraph.

3 “(D) BLOCK GRANT PROGRAM USAGE.—

4 “(i) If a State determines that it
5 serves the objectives of the block grant
6 program established under this subtitle,
7 the State may revise the poverty line to
8 not to exceed 125 percent of the official
9 poverty line otherwise applicable under this
10 paragraph.

11 “(ii) The poverty line shall be used as
12 a criterion of eligibility in the community
13 services block grant program established
14 under this subtitle.

15 “(E) SAFE HARBORS.—

16 “(i) The poverty line applicable to a
17 participant or household in a Federal pro-
18 gram on the date the participant moves
19 from one geographic location to another
20 shall not be reduced by reason of the move
21 for the 2-year period beginning on the date
22 of the move.

23 “(ii) The Secretary shall not set the
24 poverty line for any State or county below
25 the poverty line as determined under this

1 paragraph prior to the date of enactment
2 of the Poverty Line Act of 2023 and ad-
3 justed for inflation up to the present
4 time.”.

5 **SEC. 4. TRANSITION.**

6 Not later than 1 year after the effective date of this
7 Act, the Director of Office of Management and Budget
8 shall submit to Congress a report that specifies the Fed-
9 eral laws and regulations that apply the Federal poverty
10 line in effect under section 673(2) of the Community Serv-
11 ices Block Grant Act (42 U.S.C. 9902(2)) as a factor in
12 determining eligibility for Federal programs and that the
13 Director recommends be updated to reflect the changes
14 required by the amendment made by this Act.

15 **SEC. 5. EVALUATION AND REPORT.**

16 In the 4th year after the effective date of this Act,
17 and at least once every 4 years thereafter, the Secretary
18 of Health and Human Services shall—

19 (1) evaluate the efficacy of the poverty line as
20 determined under section 673(2) of the Community
21 Services Block Grant Act (42 U.S.C. 9902(2)), as
22 amended by this Act,

23 (2) publish a report on the results of the eval-
24 uation, and

1 (3) propose any change to such poverty line
2 that would better achieve the purpose of this Act.

3 **SEC. 6. RULE OF CONSTRUCTION.**

4 Nothing in this Act shall be construed to preclude
5 the Bureau of the Census or any other Federal agency
6 from collecting, calculating, or publishing other measures
7 of poverty for other purposes.

8 **SEC. 7. EFFECTIVE DATE.**

9 This Act and the amendment made by this Act shall
10 take effect 3 years after the date of the enactment of this
11 Act.